

### **Amendments to the Claims**

This listing of claims will replace all prior versions and listings of claims in the application:

#### **Listing of Claims**

1. (Currently Amended) An image pickup apparatus including a first mode for picking up an object image and a second mode for reproducing a recorded image, said apparatus comprising:

an operation member which is switched to said first mode according to an operation to a first position, and is switched to said second mode according to an operation to a second position, and further is forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user during a period of time except for the operations; and

control means for changing control to said image pickup apparatus ~~both~~ according to a current mode thereof and one of the first position and the second position, according to a position to which said operation member is operated from the third position.

2. (Currently Amended) An image pickup apparatus according to claim 1, wherein during said second mode, said control means shifts said second mode to said first mode without operating said operation member, and according to an operation of an other operation member related to photographing, different from said operation member related to the first and second modes.

3. (Original) An image pickup apparatus according to claim 1, wherein in case that said

image pickup apparatus is in an electric power off state, said control means turns electric power on according to a mode switching operation of said operation member and starts up said image pickup apparatus in a mode corresponding to a position operated in the mode switching operation.

4. (Original) An image pickup apparatus according to claim 1, wherein said control means withdraws a lens barrel according to the operation to said second position by means of said operation member, when said lens barrel is fed forward in a state of said second mode.

5. (Original) An image pickup apparatus according to claim 1, wherein in a state of said first mode, said control means switches to a mode different in photographing format from that of said first mode according to the operation of said operation member to said first position.

6. (Currently Amended) An image pickup apparatus according to claim 1, wherein ~~position~~ in a state of said second mode, said control means switches to a mode different in reproduction format from that of said second mode according to the operation of said operation member to said second position.

7. (Currently Amended) An image pickup apparatus including a first mode for picking up an object image and a second mode for reproducing a recorded image, said apparatus comprising:

an operation member which is switched to said first mode according to an operation to a first position, and is switched to said second mode according to an operation to a second

position, and further is forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user during a period of time except for the operations; and

control means for turning electric power of said image pickup apparatus on and determines an operation mode according to one of the first position and the second position, a position to which said operation member is operated from the third position, when said operation member is operated in a state in which the electric power of said image pickup apparatus is off.

8. (Currently Amended) A control method of an image pickup apparatus including an operation member which is switched to a first mode for picking up an object image according to an operation to a first position, and is switched to a second mode for reproducing a recorded image according to an operation to a second position, and further is forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user ~~a first mode for picking up an object image and a second mode for reproducing a recorded image~~, said control method comprising:

~~the step of operating an operation member which is switched to a first mode for picking up an object image according to an operation to a first position, and is switched to a second mode for reproducing a recorded image according to an operation to a second position, and further is suppressed to a third position during a period of time except for the operations; and~~

the step of changing control to said image pickup apparatus according to a current mode thereof and one of the first position and the second position, ~~said position~~ to which said operation member is operated from the third position.

9. (Currently Amended) A control method of an image pickup apparatus including an operation member which is switched to a first mode for picking up an object image according to an operation to a first position, and is switched to a second mode for reproducing a recorded image according to an operation to a second position, and further is forced to be suppressed to a third position different from each of the first position and the second position when said operation member is not operated by a user during a period of time except for the operations, said control method comprising:

the step of turning electric power of said image pickup apparatus on and determines an operation mode according to one of the first position and the second position, ~~a position~~ to which said operation member is operated from the third position, when said operation member is operated in a state in which the electric power of said image pickup apparatus is off.

10. (Currently Amended) A storage medium computer-readably storing comprising a ~~stored~~ program comprising a program code for causing a computer to execute for executing said control method of an image pickup apparatus according to claim 8.